IN RE: PETITION FOR ADMIN. VARIANCE E/S Hallbrook Court, 200' S of the c/l Perry Brook Court

(5 Hallbrook Court)
11th Election District
6th Councilmanic District

Robert Meloni, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- * Case No. 99-524-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Robert and Jeanne Meloni. The Petitioners seek relief from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 26 feet in lieu of the required 30 feet for a proposed 10' x 12' sunroom addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ONDER RECEIVED FOR FILING

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of July, 1999 that the Petition for Administrative Variance seeking relief from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 26 feet in lieu of the required 30 feet for a proposed 10' x 12' sunroom addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

July 30, 1999

Mr. & Mrs. Robert Meloni 5 Hallbrook Court Perry Hall, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Hallbrook Court, 200' S of the c/l Perry Brook Court

(5 Hallbrook Court)

11th Election District - 6th Councilmanic District

Robert Meloni, et ux - Petitioners

Case No. 99-524-A

Dear Mr. & Mrs. Meloni:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc:

Mr. R. L. Tice, Patio Enclosures, Inc.

224 8th Avenue, N.W., Glen Burnie, Md. 21061

People's Counsel; Case File





Petition for Administrative Variance

for the property located at 5 HALLBROOK COURT

to the Zoning Commissioner of Baltimore County

	which is presently zoned DR 3.5
This Petition shall be filed with the Department of Peowner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Variance from S	ermits and Development Management. The undersigned, lega which is described in the description and plat attached hereto and Section(s) 1 Boz.3.A.I
TO PERMIT AN ADDITION	WITH A REARYARD
SETBACK OF 26 FEET IN I	LIEU OF THE REQUIRED
30 FEET.	
of the zoning regulations of Baltimore County, to the zoni of this petition form. *SEE REVERSE SIDE	ing law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursu	, posting, etc. and further agree to and are to be bounded by the zoning
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	ROBERT MELONI
Name - Type or Print	Name - Type or Print X Robert Melai
Signature	Signature
	JEANNE MELONI
Address Telephone No.	\mathbf{v} / \mathbf{f} $\mathbf{M} \cdot \mathbf{f}$
City State Zip Code	
Attorney For Petitioner:	5 HALLBROOK COURT 410-256-5403 Address Telephone No.
R. L. TICE, AGENT	PERRY HALL, MD. 21236
Name - Type or Print	City State Zip Code
Signature 12-2 Wele 1 4921	Representative to be Contacted:
PATIO ENCLOSURES, INC.	D I TICE ACENT
Company	Name
224 8th AVE., N.W. 410-760-1919 Address Telephone No.	224 8th AVE., N.W. 410-760-1919 Address Telephone No.
GLEN BURNIE, MD 21061	GLEN BURNIE, MD 21061
City State Zip Code	City State Zip Code
day of that the subject matter dulations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County or of this petition be set for a public hearing, advertised, as required by the zoning
00-52A-A	Zoning Commissioner of Baltimore County
CASE NO CHI MOTE IN 3 ACCOUNT	Reviewed By JRF Date 6/24/99
Per 9/15/98 Variable to nieth	Estimated Posting Date 7/4/99
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Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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	City			State	. Zip Code
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1.	 THIS AREA LENDS ITSELF TO THE UTILIZATION WITHOUT INTERRUPTION OR MAJOR ALTERATIONS 				
2.	2. INSULATE AND REDUCE HEATING BILLS.				
3.	3. REDUCE OUTSIDE NOISE.				
4.	4. A PLACE TO SIT OUT AND NOT BE CONCERNED I	WITH THE	WEATHER	, BUGS, MO	SQUITOES, FLIES, ETC
5.	5. IMPROVE APPEARANCE OF HOUSE.				
6.	6. THE RESTRICTIVE AREA OF THE LOT DOES NOT WITHOUT REQUIRING A VARIANCE.	LEND IT	SELF TO	ANY ADDITI	ON OF PRACTICAL SIZE
				ye 40	
That adver	hat the Affiant(s) acknowledge(s) that if a formal demand divertising fee and may be required to provide additional infor	is filed, Amation.	<u> </u>	vill be require	., .
Signati	gnature	Signatur	e e	re pros	· Oru
ROB	ROBERT MELONI	TEA	NNE MELO	NT	
Name -	ame - Type or Print		Type or Print		
I HER of Ma	TATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: HEREBY CERTIFY, this 24th day of	ared,	1999.	before me, a	Notary Public of the State
f	florent Marin a Ferris Mt	2000 8			a na
the At law th	e Affiant(s) herein, personally known or satisfactorily identil w that the matters and facts hereinabove set forth are true a	fied to me nd correct	as such A to the best	ffiant(s), and of his/her/the	made oath in due form of ir knowledge and belief.
AS W	S WITNESS my hand and Notarial Seal May 24, 1999	Thue	24 (2.0	leton
vale	V	ry Public Commissior	n Expires _	41	03
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inat	the Amant(s) does/do presently reside at 3 HALLBROOK COURT
	Address PERRY HALL, MD 21236
	City State Zip Code
That Varia	based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative ance at the above address (indicate hardship or practical difficulty):
1.	THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2.	INSULATE AND REDUCE HEATING BILLS.
3.	REDUCE OUTSIDE NOISE.
4.	A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS, MOSQUITOES, FLIES, ETC.
5.	IMPROVE APPEARANCE OF HOUSE.
6.	THE RESTRICTIVE AREA OF THE LOT DOES NOT LEND ITSELF TO ANY ADDITION OF PRACTICAL SIZE WITHOUT REQUIRING A VARIANCE.
	ar w
That adve	the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and rtising fee and may be required to provide additional information.
X Signat	Robert Mela: X Deanxe Melozi
	Jig. naturey
	BERT MELONI - Type or Print Name - Type or Print
STAT	TE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HER	REBY CERTIFY, this <u>24th</u> day of <u>Mar</u> , <u>1999</u> , before me, a Notary Public of the State aryland, in and for the County aforesaid, personally appeared
[PORT MEZONI & JERNA MEZONI
the A law th	Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of hat the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS W	Nay 24, 1999 Notarial Seal Notarial Seal Notarial Seal Notarial Seal Notarial Seal
Date	Notary Public My Commission Expires

REU 09/15/98

THERESA E. ALSTON, NOTARY PUBLIC Beltimore County State of Maryland Commission Expires January 1, 2003



Commission Expres January 1, 2009

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the prop	perty located at 5 HALLBROOK COURT
	which is presently zoned
This Petition shall be filed with the Department of Powner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Variance from S	remits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and Section(s) しおって、3.人・し
TO PERMIT AN ADDITION	MITH A REAR YARD
SETBACK OF 26 FEET IN	LIEU OF THE REQUIRED
30 FEET.	•
of the zoning regulations of Baltimore County, to the zon of this petition form. *SEE REVERSE SIDE	ing law of Baltimore County, for the reasons indicated on the bac
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursuance.	 posting, etc. and further agree to and are to be bounded by the zonin
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	ROBERT MELONI
Name - Type or Print	Name - Type or Print
Signature	Signature JEANNE MELONI
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature Melon
********** For Petitioner:	5 HALLBROOK COURT 410-256-5403
R. L. TICE, AGENT	Address Telephone No
Name - Type or Print	City HALL, MD. 21236 City State Zip Code
Signature /2 Lyck kip in	Representative to be Contacted:
PATIO ENCLOSURES, INC.	R. L. TICE, AGENT
224 8th AVE., N.W. 410-760-1919 Address Telephone No.	224 8th AVE., N.W. 410-760-1919 Address Telephone No.
GLEN BURNIE, MD 21061 City State Zip Code	CIEN BURNIE, MD 21061 City State Zip Code
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A Public Hearing having been formally demanded and/or found this day of that the subject matter regulations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County er of this petition be set for a public hearing, advertised, as required by the zoning
a 521 A	Zoning Commissioner of Baltimore County
CASE NO.	Reviewed By 125 Date 6/24/09
DOI GUELOGUES STORTES	Estimated Posting Date 7/4/09

ZONING DESCRIPTION

Zoning Description for 5 Hallbrook Court

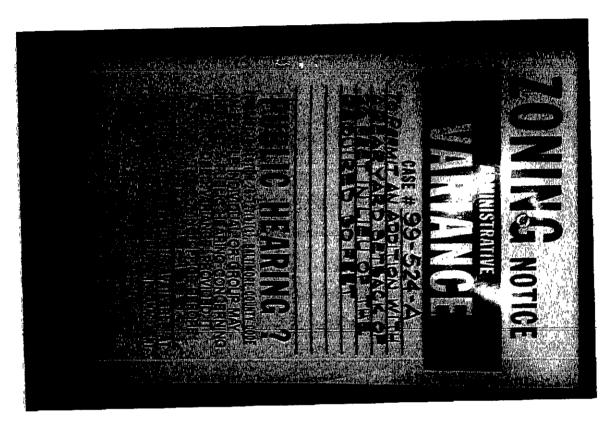
Beginning at a point on the East side of Hallbrook Court which is 35' wide at the distance of 200 South of the centerline of the nearest improved intersecting street,

Perry Brook which is 50' wide.

*Being Lot #8, Block A, Section 1, in the subdivision of
Perry Hall Gardens recorded in Baltimore County Plat Book # 32,
Folio #110 containing 10,947 square feet. Also known as
5 Hallbrook Court and located in the 11th Election District, 6th
Councilmanic District.

RE	: Case No.: 99-524-A
	Petitioner/Developer: PATIO ENCLOSURES, INC. FOR CLUAIER ALICHOR
	Date of Hearing/Closing: 7/19/99
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	-
This letter is to certify under the penalties of perjury were posted conspicuously on the property located a	
The sign(s) were posted on Juy 2, (Mon	1999
(Mon	ith, Day, Year)
	Sincerely,
	Daland & Place
	(Signature of Sign Poster and Date)
	TAPLAND E. MOORE
	(Printed Name) 3725 RYERSONI CINCLE
•	(Address)
	(City, State, Zip Code)
-	(410) 247-4763 (Telephone Number)
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9/96 cert.doc





ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 524
Petitioner: ROBERT & JEANNE MELONI
Address or Location: 5 HALLBROOK COURT, PERRY HALL, MD 21236
PLEASE FORWARD ADVERTISING BILL TO:
Name: <u>PATIO ENCLOSURES, INC.</u>
Address: 224 8th AVENUE, N.W.
GLEN BURNIE, MD 21061
Telephone Number: _410-760-1919

Revised 2/20/98 - SCJ

PA.524-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: July 13, 1999

TO: Arnold Jablon, Director Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 502, 514, 520, and 524

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Gespung W Long

AFK/JL

THIS DEED, Made this day of June, 1987, from ROBERT

A. MELONI and JEANNE M. MELONI, his wife, Grantors, to ROBERT

A. MELONI and JEANNE M. MELONI, husband and wife, Grantees.

WHEREAS, the Grantors by Deed dated February 9, 1973, were granted and conveyed the herein described property; and

WHEREAS, the Deed whereby Grantors took title which is recorded among the Land Records of Baltimore County, at Liber E.H.K. 5337, Folio 462, did not convey to them as tenants by the entireties, and

WHEREAS, it is the intention of the parties and was the intention of the parties at the time to take title as tenants by the entireties. The Grantors without monetary consideration but in consideration of mutual love and affection and other good and valuable consideration, the Grantors grant, convey and assign to the Grantees, as tenants by the entireties, their assigns, and to the survivor of them, and the Personal Representatives, heirs and assigns of the survivor, in fee simple, the property located in Baltimore County, Maryland and described as follows:

BEING known and designated as Lot No. 6, Block A, as shown on a Plat entitled "Resubdivision Section One, Perry Hall Gardens", which said Plat is recorded among the Land Records of Baltimore County in Plat Book O.T.G. No. 32, folio 110.

BEING a portion of that lot of ground which by Lease dated February 9, 1967 and recorded among the Land REcords of Baltimore County in Liber O.T.G. No. 4724, folio 304, which was demised and leased by the said Leon A. Crane and Jacob L. Friedman and Ann Friedman, His wife, unto the said Chapel Hall Land Company, Inc.,

AND BEING also part of that lot of ground described in Amended Lease dated July 31, 1967 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4787, folio 245, from Leon A. Crane, et al, to Chapel Hall Land Company,

INC. APPLICABLE TRANSPER TAX

CLERK PAGE

to the best along

LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE.
P. O. BOX 5506
TOWSON. MARYLAND 21204

(301) 623-1174

BEING ALSO the same lot of ground which by Deed dated February 9, 1973 and recorded among the Land Records of Baltimore County, was granted and conveyed by Chapel Hall Land Company, Inc., a body corporate, unto the Grantors herein which Deed is recorded at Liber E.H.K.Jr. 5337, Folio 462.

TOGETHER with all improvements thereupon and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property unto the Grantees, as tenants by the entireties, their assigns, and to the survivor of them, and the personal representatives, heirs and assigns of the survivor, in fee simple, forever.

The Grantors convenant to warrant specially the property hereby convenyed and to execute such further assurances of the property as may be requisite.

WITNESS, the hands and seals of the Grantors.

WITNESS:

Dapha a Dunean

Polent a. Meloni

(SEAL)

ROBERT A. MELONI

Daphn a. Dunian

JEANNE M. MELONI

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this \(\frac{\fric}\firk}{\firint{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

LAW OFFICES

HANLEY AND HANLEY
208 WASHINGTON AVE.
P. O. BOX 5506

TOWSON, MARYLAND 21204

[301] 823-1174

_ISER7 5 6 2 PAGE 6 2 Z

Nophy a Duny Notary Public

My Commission Expires:

7-1-90

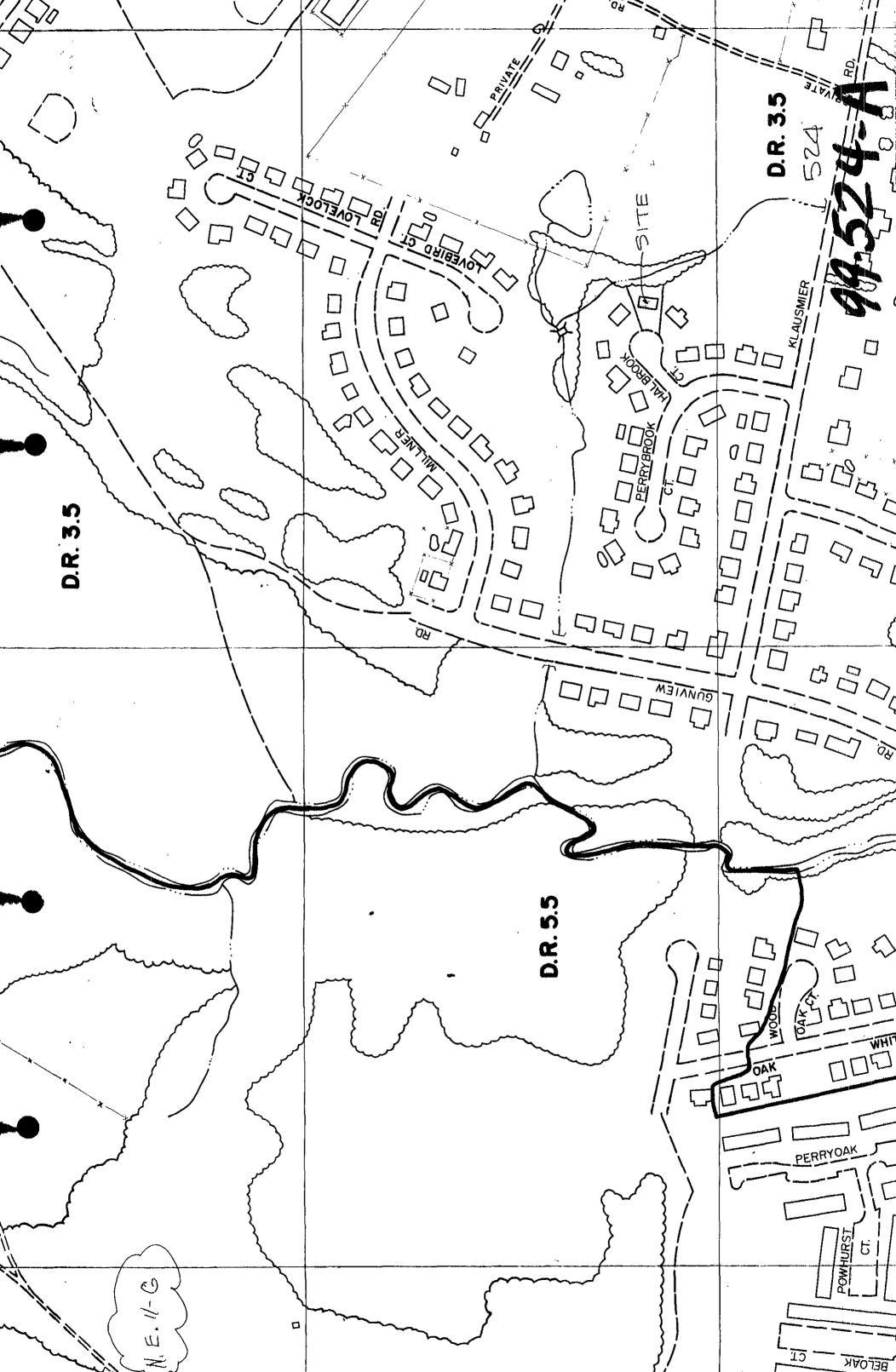
B RC F 16.00 JEED 0 # SM CLERK 16.00 #85065 C004 R01 714:49 26/08/87

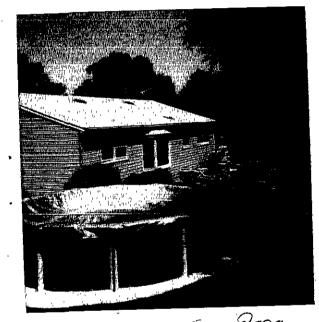
LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE.
F. C. BOX 5306
TOWSON, MARYLAND 21204

(301) 023-1174

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Mas. Shitting and 21236 (a) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	HALLBROOKE COURT HALLBROOKE COURT B. Sections 1 B. Sections 1 COCO 1/2 1
Election District: 11 Councilmanic District: 6 1'-200' scale map#: NE 11G Zoningt DR 3.5 Lot size: .251 10,947 Lot size: .251 square feet WATER: X WATER: X Chasapeake Bay Critical Area: X Prior Zoning Hearings: Prior Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: JPF SZ4	Speci

99.524-A





PROPOSED JUN ROOM

99.524.A

